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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,472	02/11/2002	Bernhard Allgaier	2368.129	4361
30448	7590	06/01/2006	EXAMINER	
AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188			ADAMS, GREGORY W	
			ART UNIT	PAPER NUMBER
			3652	

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/073,472	ALLGAIER, BERNHARD	
	Examiner	Art Unit	
	Gregory W. Adams	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3, 18 and 20-37 is/are pending in the application.
- 4a) Of the above claim(s) 27-29 and 34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18, 26, 30 and 35-37 is/are rejected.
- 7) ☒ Claim(s) 3, 20-25 and 31-33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 3 & 20-21 are objected to because of the following informalities:

with respect to claim 3, line 2, insert –and— in between “two levers,” and “two slide bars”;

with respect to claim 20, line 2, insert –and— in between “two levers,” and “two lift bars”; and

with respect to claim 21, line 2, insert –and— in between “two slide bars,” and “two slide bars”.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 26, 30 & 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Leaman (US 2,883,032).

With respect to claim 26, Leaman discloses slide blocks 19 guide a force transmission device sideways.

With respect to claim 30, Leaman discloses a force transmission device includes a motor drive 24, and a conversion device 21, 23, 39, 43, 38 which converts rotational movement of a motor drive to horizontal linear movement.

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With respect to claim 35, Leaman discloses two force transmission devices 16, 17, 16a, 17a, 18c 19 in parallel.

With respect to claim 36, Leaman discloses a lift device for lifting and lowering a support device 6 of a transport track segment of a transport device 11 comprising a work piece carrier 50, force producing device 24 to lift a support device 6, a force transmission device which transmits force to a support device 6 wherein a force transmission device includes a lever 26 having a first end (generally indicated as 30) coupled to a force producing device 24 and further having a second end (generally indicated as 31) coupled to a support device 6 and guided for vertical displacement. It is noted that 18, 19, F as well as 28, 27, 30, 35 provide guiding displacement.

With respect to claim 37, Leaman discloses a lever first end 30 is linked to a horizontal slide bar 26. It is noted that 26 slides around cam crank 21, 23 and a lever second end is linked to a lift bar 33 wherein a lift bar is parallel to a slide bar 26. It is noted that during lifting, Leaman's lift bars and slide bars are parallel.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leaman (US 2,883,032) in view of Cook (US 4,750,604). Leaman does not disclose a spring or tensioning device. Cook discloses a connecting device 14 provided on a slide bar other

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side wherein a connecting device 14 is connected with a spring tensioning device 17 upon which a pressure spring 15 and spring abutment rigidly connected with a guide bar. Cook teaches that when lowering a lifting device, lever 6, 7 are release, wherein the stored energy of springs 15 returns rotates levers 6, 7 in a downward motion. Col. 2, lns. 5-25. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the lift device of Leaman to include a spring, as per the teachings of Cook, such that a lifting device will return to its original position during lowering.

Allowable Subject Matter

Claims 3, 20-25 & 31-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed May 3, 2006 have been fully considered but they are not persuasive.

With respect to claim 36, Applicant argues that the cited prior art does not disclose "a lever coupled at its first end to a force producing device and coupled at its second end to the support device." With respect to claim 36, Leaman discloses a lift device for lifting and lowering a support device 6 of a transport track segment of a transport device 11 comprising a work piece carrier 50, force producing device 24 to lift a support device 6, a force transmission device which transmits force to a support device 6 wherein a force transmission device includes a lever 26 having a first end

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(generally indicated as 30) coupled to a force producing device 24 and further having a second end (generally indicated as 31) coupled to a support device 6 and guided for vertical displacement. It is noted that 18, 19, F as well as 28, 27, 30, 35 provide guiding displacement. Further, Leaman's lever 30 transmits a force as shown in FIGS. 1 & 3 to lift Leaman's table frame to a level of conveyor 44.

Applicant's arguments with respect to Cook failing "to teach or suggest all of the elements of independent 36" is moot given that Leaman discloses the structure recited therein.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (571) 272-8101. The examiner can normally be reached on M-Th., 8:00-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GWA

A handwritten signature in black ink that reads "Kathy Matecki". The signature is written in a cursive, flowing style.

**KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**